

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PAULA RENE REINHARDT
823 Burlingame Avenue
Clovis, CA 93612

Registered Nurse License No. **495227**

Respondent

Case No. 2012-364

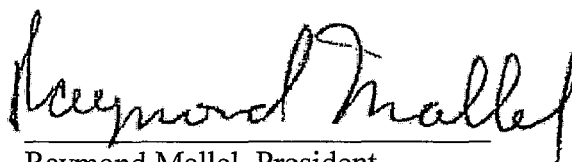
OAH No. 2011121028

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **January 16, 2013**.

IT IS SO ORDERED **December 17, 2012**.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 LESLIE A. BURGERMYER
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-364

13 **PAULA RENE REINHARDT**

OAH No. 2011121028

823 Burlingame Avenue
14 Clovis, CA 93612

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Registered Nurse License No. 495227

Respondent.

16
17 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
21 of Registered Nursing, Department of Consumer Affairs, ("Board"). She brought this action
22 solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney
23 General of the State of California, by Leslie A. Burgermyer, Deputy Attorney General.

24 2. Respondent Paula Rene Reinhardt ("Respondent") is represented in this proceeding
25 by attorney Javier A. Alabart, Esq., whose address is: Law Offices of Javier A. Alabart, 7555 N.
26 Del Mar, Suite 206, P. O. Box 28400, Fresno, California, 93729 (telephone: 559/439-2612).

27 3. On or about August 31, 1993, the Board issued Registered Nurse License No. 495227
28 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to

1 the charges brought in Accusation No. 2012-364 and will expire on April 30, 2013, unless
2 renewed.

3 JURISDICTION

4 4. Accusation No. 2012-364 was filed before the Board and is currently pending against
5 Respondent. The Accusation and all other statutorily required documents were properly served
6 on Respondent on December 14, 2011. Respondent timely filed her Notice of Defense contesting
7 the Accusation.

8 5. A true copy of Accusation No. 2012-364 is attached hereto, marked Exhibit A, and
9 incorporated herein by reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 2012-364. Respondent has also carefully read, fully
13 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
14 Order.

15 7. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
19 compel the attendance of witnesses and the production of documents; the right to reconsideration
20 and court review of an adverse decision; and all other rights accorded by the California
21 Administrative Procedure Act and other applicable laws.

22 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 2012-364.

27 10. Respondent agrees that her Registered Nurse License is subject to discipline and she
28 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 495227 issued to Respondent Paula Rene Reinhardt ("Respondent") is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state, and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within forty-five (45) days of the effective date of the decision, unless previously submitted as part of the licensure application process.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than fifteen (15) days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

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1 **4. Residency, Practice, or Licensure Outside of State.** Periods of residency or
2 practice as a registered nurse outside of California shall not apply toward a reduction of this
3 probation time period. Respondent's probation is tolled, if and when she resides outside of
4 California. Respondent must provide written notice to the Board within fifteen (15) days of any
5 change of residency or practice outside the state, and within thirty (30) days prior to re-
6 establishing residency or returning to practice in this state.

7 Respondent shall provide a list of all states and territories where she has ever been licensed
8 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
9 information regarding the status of each license and any changes in such license status during the
10 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
11 license during the term of probation.

12 **5. Submit Written Reports.** Respondent, during the period of probation, shall submit
13 or cause to be submitted such written reports, declarations, and/or verification of actions under
14 penalty of perjury, as required by the Board. These reports, declarations, and/or verifications
15 shall contain statements relative to Respondent's compliance with all the conditions of the
16 Board's Probation Program. Respondent shall immediately execute all release of information
17 forms as may be required by the Board or its representatives.

18 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
19 state and territory in which she has a registered nurse license.

20 **6. Function as a Registered Nurse.** Respondent, during the period of probation, shall
21 engage in the practice of registered nursing in California for a minimum of twenty-four (24) hours
22 per week for six (6) consecutive months or as determined by the Board.

23 For purposes of compliance with the section, "engage in the practice of registered nursing"
24 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
25 non-direct patient care position that requires licensure as a registered nurse.

26 The Board may require that advanced practice nurses engage in advanced practice nursing
27 for a minimum of twenty-four (24) hours per week for six (6) consecutive months or as
28 determined by the Board.

1 If Respondent has not complied with this condition during the probationary term, and
2 Respondent has presented sufficient documentation of her good faith efforts to comply with this
3 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
4 extension of Respondent's probation period up to one (1) year without further hearing in order to
5 comply with this condition. During the one (1) year extension, all original conditions of
6 probation shall apply.

7 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain
8 prior approval from the Board before commencing or continuing any employment, paid or
9 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
10 performance evaluations and other employment related reports as a registered nurse upon request
11 of the Board.

12 Respondent shall provide a copy of this Decision to her employer and immediate
13 supervisors prior to commencement of any nursing or other health care related employment.

14 In addition to the above, Respondent shall notify the Board in writing within seventy-two
15 (72) hours after she obtains any nursing or other health care related employment. Respondent
16 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
17 separated, regardless of cause, from any nursing, or other health care related employment with a
18 full explanation of the circumstances surrounding the termination or separation.

19 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding
20 Respondent's level of supervision and/or collaboration before commencing or continuing any
21 employment as a registered nurse, or education and training that includes patient care.

22 Respondent shall practice only under the direct supervision of a registered nurse in good
23 standing (no current discipline) with the Board unless alternative methods of supervision and/or
24 collaboration (e.g., with an advanced practice nurse or physician) are approved.

25 Respondent's level of supervision and/or collaboration may include, but is not limited to the
26 following:

27 a. Maximum - The individual providing supervision and/or collaboration is present in
28 the patient care area or in any other work setting at all times.

1 b. Moderate - The individual providing supervision and/or collaboration is in the patient
2 care unit or in any other work setting at least half of the hours Respondent works.

3 c. Minimum - The individual providing supervision and/or collaboration has person-to-
4 person communication with Respondent at least twice during each shift worked.

5 d. Home Health Care - If Respondent is approved to work in the home health care
6 setting, the individual providing supervision and/or collaboration shall have person-to-person
7 communication with Respondent as required by the Board each work day. Respondent shall
8 maintain telephone or other telecommunication contact with the individual providing supervision
9 and/or collaboration as required by the Board during each work day. The individual providing
10 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
11 patients' homes visited by Respondent with or without Respondent present.

12 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any
13 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,
14 or for an in-house nursing pool.

15 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
16 registered nursing supervision and other protections for home visits have been approved by the
17 Board. Respondent shall not work in any other registered nursing occupation where home visits
18 are required.

19 Respondent shall not work in any health care setting as a supervisor of registered nurses.
20 The Board may additionally restrict Respondent from supervising licensed vocational nurses
21 and/or unlicensed assistive personnel on a case-by-case basis.

22 Respondent shall not work as a faculty member in an approved school of nursing or as an
23 instructor in a Board approved continuing education program.

24 Respondent shall work only on a regularly assigned, identified and predetermined
25 worksite(s) and shall not work in a float capacity.

26 If Respondent is working or intends to work in excess of forty (40) hours per week, the
27 Board may request documentation to determine whether there should be restrictions on the hours
28 of work.

1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
2 successfully complete a course(s) relevant to the practice of registered nursing no later than six
3 (6) months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
5 Respondent shall submit to the Board the original transcripts or certificates of completion for the
6 above required course(s). The Board shall return the original documents to Respondent after
7 photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its
9 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$3,045.00. Respondent shall be permitted to pay these costs in a payment plan
11 approved by the Board, with payments to be completed no later than three months prior to the end
12 of the probation term.

13 If Respondent has not complied with this condition during the probationary term, and
14 Respondent has presented sufficient documentation of her good faith efforts to comply with this
15 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
16 extension of Respondent's probation period up to one year without further hearing in order to
17 comply with this condition. During the one year extension, all original conditions of probation
18 will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her probation, then
20 the Board, after giving Respondent notice and an opportunity to be heard, may set aside the stay
21 order and impose the stayed discipline of revocation of Respondent's license.

22 If during the period of probation, an accusation or petition to revoke probation has been
23 filed against Respondent's license or the Attorney General's Office has been requested to prepare
24 an accusation or petition to revoke probation against Respondent's license, then the probationary
25 period shall automatically be extended and shall not expire until the accusation or petition has
26 been acted upon by the Board.

27 13. **License Surrender.** During Respondent's term of probation, if she ceases practicing
28 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,

Respondent may surrender her license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

a. Two (2) years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or

b. One (1) year for a license surrendered for a mental or physical illness.

14. Physical Examination. Within forty-five (45) days of the effective date of this Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the Respondent's physical condition and capability to perform the duties of a registered nurse, including a determination as set forth below in the condition titled "Rule-Out Substance Abuse Assessment." Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the Respondent with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If Respondent is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and Respondent by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board has notified Respondent that a medical determination

1 permits Respondent to resume practice. This period of suspension will not apply to the reduction
2 of this probationary time period.

3 If Respondent fails to have the above assessment submitted to the Board within the 45-day
4 requirement, Respondent shall immediately cease practice and shall not resume practice until
5 notified by the Board. This period of suspension will not apply to the reduction of this
6 probationary time period. The Board may waive or postpone this suspension only if significant,
7 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
8 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
9 Only one such waiver or extension may be permitted.

10 15. **Mental Health Examination.** Respondent shall, within forty-five (45) days of the
11 effective date of this Decision, have a mental health examination including psychological testing
12 as appropriate to determine her capability to perform the duties of a registered nurse, including a
13 determination as set forth below in the condition titled "Rule-Out Substance Abuse Assessment."
14 The examination will be performed by a psychiatrist, psychologist or other licensed mental health
15 practitioner approved by the Board. The examining mental health practitioner will submit a
16 written report of that assessment and recommendations to the Board. All costs are the
17 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
18 result of the mental health examination will be instituted and followed by Respondent.

19 If Respondent is determined to be unable to practice safely as a registered nurse, the
20 licensed mental health care practitioner making this determination shall immediately notify the
21 Board and Respondent by telephone, and the Board shall request that the Attorney General's
22 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
23 practice and may not resume practice until notified by the Board. During this period of
24 suspension, Respondent shall not engage in any practice for which a license issued by the Board
25 is required, until the Board has notified Respondent that a mental health determination permits
26 Respondent to resume practice. This period of suspension will not apply to the reduction of this
27 probationary time period.

28 If Respondent fails to have the above assessment submitted to the Board within the forty-

1 five (45) day requirement, Respondent shall immediately cease practice and shall not resume
2 practice until notified by the Board. This period of suspension will not apply to the reduction of
3 this probationary time period. The Board may waive or postpone this suspension only if
4 significant, documented evidence of mitigation is provided. Such evidence must establish good
5 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
6 provided. Only one such waiver or extension may be permitted.

7 16. **Rule-Out Substance Abuse Assessment.** If the examiner conducting the physical
8 and/or mental health examination determines that the respondent is dependent upon drugs or
9 alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or alcohol
10 dependence in remission), that might reasonably affect the safe practice of nursing, then the
11 respondent must further comply with the following additional terms and conditions of probation:

12 a. **Participate in Treatment/Rehabilitation Program for Chemical Dependence.**
13 Respondent, at her expense, shall successfully complete during the probationary period or shall
14 have successfully completed prior to commencement of probation a Board-approved
15 treatment/rehabilitation program of at least six (6) months duration. As required, reports shall be
16 submitted by the program on forms provided by the Board. If Respondent has not completed a
17 Board-approved treatment/rehabilitation program prior to commencement of probation,
18 Respondent, within forty-five (45) days from the effective date of the decision, shall be enrolled
19 in a program. If a program is not successfully completed within the first nine months of
20 probation, the Board shall consider Respondent in violation of probation.

21 Based on Board recommendation, each week Respondent shall be required to attend at
22 least one, but no more than five (5) 12-step recovery meetings or equivalent (e.g., Narcotics
23 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by
24 the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent
25 shall be added. Respondent shall submit dated and signed documentation confirming such
26 attendance to the Board during the entire period of probation. Respondent shall continue with the
27 recovery plan recommended by the treatment/rehabilitation program or a licensed mental health
28 examiner and/or other ongoing recovery groups.

1 **b. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
2 completely abstain from the possession, injection or consumption by any route of all controlled
3 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same
4 are ordered by a health care professional legally authorized to do so as part of documented
5 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)
6 days, by the prescribing health professional, a report identifying the medication, dosage, the date
7 the medication was prescribed, the Respondent's prognosis, the date the medication will no longer
8 be required, and the effect on the recovery plan, if appropriate.

9 Respondent shall identify for the Board a single physician, nurse practitioner or physician
10 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
11 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-
12 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report
13 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances
14 considered addictive have been prescribed, the report shall identify a program for the time limited
15 use of any such substances.

16 The Board may require the single coordinating physician, nurse practitioner, or physician
17 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
18 medicine.

19 **c. Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
20 random, biological fluid testing or a drug screening program which the Board approves. The
21 length of time and frequency will be subject to approval by the Board. Respondent is responsible
22 for keeping the Board informed of Respondent's current telephone number at all times.
23 Respondent shall also ensure that messages may be left at the telephone number when she is not
24 available and ensure that reports are submitted directly by the testing agency to the Board, as
25 directed. Any confirmed positive finding shall be reported immediately to the Board by the
26 program and Respondent shall be considered in violation of probation.

27 In addition, Respondent, at any time during the period of probation, shall fully cooperate
28 with the Board or any of its representatives, and shall, when requested, submit to such tests and

1 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
2 hypnotics, dangerous drugs, or other controlled substances.

3 If Respondent has a positive drug screen for any substance not legally authorized and not
4 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
5 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
6 practice pending the final decision on the petition to revoke probation or the accusation. This
7 period of suspension will not apply to the reduction of this probationary time period.

8 If Respondent fails to participate in a random, biological fluid testing or drug screening
9 program within the specified time frame, Respondent shall immediately cease practice and shall
10 not resume practice until notified by the Board. After taking into account documented evidence
11 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
12 suspend Respondent from practice pending the final decision on the petition to revoke probation
13 or the accusation. This period of suspension will not apply to the reduction of this probationary
14 time period.

15 d. **Therapy or Counseling Program.** Respondent, at her expense, shall participate
16 in an on-going counseling program until such time as the Board releases her from this
17 requirement and only upon the recommendation of the counselor. Written progress reports from
18 the counselor will be required at various intervals.

19 **ACCEPTANCE**

20 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
21 discussed it with my attorney, Javier A. Alabart, Esq. I understand the stipulation and the effect it
22 will have on my Registered Nurse License. I enter into this Stipulated Settlement and
23 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
24 Decision and Order of the Board of Registered Nursing.

25
26 DATED: 9-5-2012


27 PAULA RENE REINHARDT
28 Respondent

1 I have read and fully discussed with Respondent Paula Rene Reinhardt the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
3 I approve its form and content.

4 DATED: 9/5/12


JAVIER A. ALABART, ESQ.
Attorney for Respondent

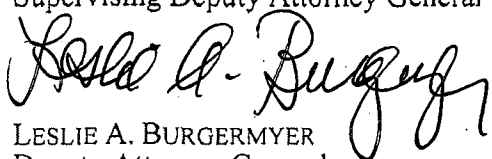
7 **ENDORSEMENT**

8 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
9 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
10 Affairs.

11 DATED: 9/5/2012

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General


LESLIE A. BURGERMYER
Deputy Attorney General
Attorneys for Complainant

24 SA2011102473 / 10948182.doc

Exhibit A

Accusation No. 2012-364

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 LESLIE A. BURGERMYER
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Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-364

13 **PAULA RENE REINHARDT**
823 Burlingame Avenue
Clovis, CA 93612

ACCUSATION

14 Registered Nurse License No. 495227

15 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
22 Department of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about August 31, 1993, the Board issued Registered Nurse License Number
25 495227 to Paula Rene Reinhardt ("Respondent"). The registered nurse license was in full force
26 and effect at all times relevant to the charges brought herein and will expire on April 30, 2013,
27 unless renewed.
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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Criminal Conviction)**

5 8. Respondent has subjected her license to discipline pursuant to Code sections 2761,
6 subdivision (f), in that Respondent has been convicted of the following crime that is substantially
7 related to the qualifications, functions, or duties of a registered nurse: On or about December 22,
8 2010, in the Superior Court, County of Fresno, California, in the matter entitled *People vs. Paula*
9 *Rene Reinhardt*, 2010, Case No. M10924092, Respondent was convicted following her plea of
10 nolo contendere to a violation of Vehicle Code section 23152, subdivision (b) [driving with a
11 blood alcohol level of .08% or more], a misdemeanor. Respondent admitted enhancements to the
12 violation. The circumstances of the crime are as follows:

13 a. On October 25, 2010, Respondent was arrested for driving under the influence
14 of alcohol, following a traffic collision. Respondent's blood alcohol level measured .28%.
15 Respondent had been involved in a traffic collision in a parking lot and was being held by
16 security officers at the Fresno Heart Hospital who reported that Respondent was trying to leave
17 the scene of an accident.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Conviction of a Crime Involving Alcohol)**

20 9. Respondent has subjected her license to discipline pursuant to Code section 2761,
21 subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762,
22 subdivision (c), in that Respondent has been convicted of a crime involving the consumption of
23 alcohol, as more particularly set forth in paragraph 8, above.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Use Alcohol to an Extent or in a Manner Dangerous or Injurious)**

26 10. Respondent has subjected her license to discipline pursuant to Code section 2762,
27 subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762,
28 subdivision (b), in that on or about October 25, 2010, Respondent used alcohol to an extent or in a

1 manner dangerous or injurious to herself or others, as more particularly set forth in paragraphs 8
2 and 9, above.

3 PRAYER

4 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 495227, issued to Paula
7 Rene Reinhardt;

8 2. Ordering Paula Rene Reinhardt to pay the Board of Registered Nursing the
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
10 Professions Code section 125.3; and,

11 3. Taking such other and further action as deemed necessary and proper.

12
13 DATED: December 14, 2011

14 *for* LOUISE R. BAILEY, M.ED., RN
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant
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